

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JEREMY ADAM MESSER,
Plaintiff,

Civil Action No. 7:18-cv-00353

v.

TRISH McCOY, ET AL,
Defendant(s),

MEMORANDUM OPINION

By: Michael F. Urbanski
Chief United States District Judge

Plaintiff, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. §1983. By Order entered December 6, 2018, the court directed plaintiff to submit within 10 days from the date of the Order the full filing fee or otherwise respond because it has come to the attention of the court that plaintiff has been released from incarceration and is no longer subject to the provisions of the Prisoner Litigation Reform Act. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 10 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 27th day of December, 2018.

/s/ Michael F. Urbanski

Chief United States District Judge